GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA

UNSTARRED QUESTION NO:3233
ANSWERED ON:21.03.2007
ALL INDIA PANCHAYAT PARISHAD
Owaisi Shri Asaduddin

Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether 16th Convention of the All India Panchayat Parishad was held in New Delhi recently;

(b) if so, the details of the discussion held in the convention and the outcome thereof;

(c) whether Prime Minister called for effective implementation of the Panchayat's Extension to the Scheduled Areas (PESA);

(d) if so, whether the Union Government is contemplating to amend the Panchayati Raj Act keeping in view the changed economic and social scenario;

(e) if so, the details thereof; and

(f) the steps taken or proposed to be taken by the Union Government in this regard? ANSWER

Answer

MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR)
(a) & (b): Yes, Sir. The National Convention of elected representatives of Panchayati Raj was held on 21 and 22 November, 2006 at Balwant Rai Mehta Panchayat Bhavan, New Delhi. The convention was inaugurated by Dr. Raghuvansh Prasad Singh, Union Minister of Rural Development and many Central Ministers and State Ministers participated in the Conference and discuss the issues relating to the implementation of Constitution (73rd Amendment) Act, 1992. About 2000 elected representatives from 22 States participated in the Convention.

(c): Yes, Sir.

(d) to (f): The following nine States have Fifth Schedule Areas:-
(i) Andhra Pradesh
(ii) Chhattisgarh
(iii) Gujarat
(iv) Himachal Pradesh
(v) Jharkhand
(vi) Madhya Pradesh
(vii) Maharashtra
(viii) Orissa and (ix) Rajasthan.

While all States have enacted the requisite compliance legislation by amending their respective Panchayati Raj Acts, certain gaps continue to exist. Further, most States are also yet to amend the subject laws, like those relating to money landing, forest, excise etc. Consequently, compliance remains incomplete perfunctory and formal in virtually all states. Vital issues like ownership of minor forest produce, planning and management of minor water bodies, prevention of alienation of tribal lands etc., which have been duly recognized in PESA as the traditional rights of tribal living in the Scheduled Areas have still not received the warranted attention and the necessary correctives remain unapplied. There are also issues relating to powers statutorily devolved upon the Gram Sabha and the Panchayats, not being matched by concomitant transfer of funds and functionaries resulting in the non-exercise of such powers. A communication has been issued on 26.10.2005 to the Chief Secretaries of the nine States concerned to get PESA laws implemented with a view to making the implementation real and not formal (which unfortunately is the case with regard to several provisions) and also to bring the subject laws in line with PESA provisions. The Ministry of Panchayati Raj is continuously pursuing these issues with State Governments.